

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Eric BACQUÉ, et al.) Group Art Unit: Unassigned
)
Divisional Application of) Examiner: Unassigned
U.S. Patent Application No.: 09/987,386)
)
Filed: Concurrently)
)
For: HETEROCYCLYALKYLPIPERIDINE)
DERIVATIVES, THEIR)
PREPARATION AND)
COMPOSITIONS CONTAINING)
THEM)
)

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

PCT applications WO 99/37635 and WO 00/43383 are already of record in application no. 09/987,386, the parent application to this divisional application, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Therefore, no copies of these applications are enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

FINNEGAN
HENDERSON
FARROW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

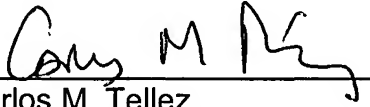
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Carlos M. Tellez
Reg. No. 48,638

Dated: June 27, 2003

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|---------------------|------------|------------|
| Atty. Docket No. | 3806.0520-01 | Appln. No. | Unassigned |
| Applicant | Eric BACQUÉ, et al. | | |
| Filing Date | Concurrently | Group: | Unassigned |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|--|-----------------|------------|------|-------|-----------|----------------------------|
| Examiner Initial* | | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|---|-----------------|------------------|---------|-------|-----------|-----------------------|
| | | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
| | 1 | WO 00/43383 | 27 JUL 00 | PCT | | | published in English |
| | 2 | WO 99/37635 | 29 JUL 99 | PCT | | | published in English |
| | 3 | WO 00/21948 | 20 APR 00 | PCT | | | published in English |
| | 4 | WO 00/68199 | 16 NOV 00 | PCT | | | published in English |
| | 5 | WO 98/13350 | 2 APR 98 | PCT | | | published in English |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | |
|--|--|
| | |
| | |
| | |
| | |

| | |
|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |